

PRICE OKAMOTO HIMENO & LUM

ORIGINAL

WARREN PRICE III 1212
ROBERT A. MARKS 2163
707 Richards Street, Suite 728
Honolulu, Hawaii 96813
Phone: 808.538.1113
Fax: 808.533.0549
E-mail: ram@pohlhawaii.com

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

GELBER, GELBER, INGERSOLL & KLEVANSKY

A Law Corporation
SIMON KLEVANSKY 3217-0
ALIKA L. PIPER 6949-0
CARISA LIMA KA'ALA HEE 7372-0
Suite 1400, Fort Street Tower
745 Fort Street
Honolulu, Hawaii 96813
Phone: (808) 524-0155
Fax: (808) 531-6963
E-mail: sklevansky@ggik.com;
apiper@ggik.com;
kaalahee@ggik.com

OCT 27 2006
at 11 o'clock and 07 min A.M.
SUE BEITIA, CLERK

Attorneys for Defendants
KIAHUNA GOLF CLUB, LLC,
KG KAUAI DEVELOPMENT, LLC,
PUKALANI GOLF CLUB, LLC,
KG MAUI DEVELOPMENT, LLC,
MILILANI GOLF CLUB, LLC,
QK HOTEL, LLC, OR HOTEL, LLC,
AND KG HOLDINGS, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD., a
Japanese corporation,

Plaintiff,

vs.

QK HOTEL, LLC, a Hawai'i limited
liability company; KG HOLDINGS,

CV 04-00124 ACK-BMK

CONSOLIDATED CASES

CERTIFICATE OF SERVICE

**[Re: Civil Appeals Docketing
Statement; Exhibits "A" – "D";
Order Denying Motion to Expunge
Lis Pendens; and Representation
Statement]**

LLC, a Hawai'i limited liability company
and FRANKLIN K. MUKAI,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO (USA) CO., LTD., a
Delaware corporation; SPORTS SHINKO
(HAWAII) CO., LTD., a Hawai'i
corporation; SPORTS SHINKO
(MILILANI) CO., LTD., a Hawai'i
corporation; SPORTS SHINKO (KAUAI)
CO., LTD., a Hawai'i corporation;
SPORTS SHINKO (PUKALANI) CO.,
LTD., a Hawai'i corporation; SPORTS
SHINKO RESORT HOTEL
CORPORATION, a Hawai'i corporation;
SPORTS SHINKO (WAIKIKI)
CORPORATION, a Hawai'i corporation;
and OCEAN RESORT HOTEL
CORPORATION, a Hawai'i corporation,

Third-Party Defendants,

and

SPORTS SHINKO (HAWAII) CO.,
LTD., a Hawai'i corporation; SPORTS
SHINKO RESORT HOTEL
CORPORATION, a Hawai'i corporation;
and SPORTS SHINKO (WAIKIKI)
CORPORATION, a Hawai'i corporation,

Third-Party Defendants /
Counterclaimants,

vs.

QK HOTEL, LLC, a Hawai'i limited
liability company; KG HOLDINGS,
LLC, a Hawai'i limited liability company;
and FRANKLIN K. MUKAI,

Third-Party Counterclaim
Defendants.

SPORTS SHINKO (USA) CO., LTD., a
Delaware corporation,

Plaintiff,

vs.

PUKALANI GOLF CLUB, LLC, a
Hawai'i limited liability company; KG
MAUI DEVELOPMENT, LLC, a
Hawai'i limited liability company; KG
HOLDINGS, LLC, a Hawai'i limited
liability company; and FRANKLIN K.
MUKAI,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

CV 04-00125 ACK-BMK

SPORTS SHINKO CO., LTD., a Japanese corporation; SPORTS SHINKO (HAWAII) CO., LTD., a Hawai'i corporation; SPORTS SHINKO (MILILANI) CO., LTD., a Hawai'i corporation; SPORTS SHINKO (KAUAI) CO., LTD, a Hawai'i corporation; SPORTS SHINKO (PUKALANI) CO., LTD., a Hawai'i corporation; SPORTS SHINKO RESORT HOTEL CORPORATION, a Hawai'i corporation; SPORTS SHINKO (WAIKIKI) CORPORATION, a Hawai'i corporation; and OCEAN RESORT HOTEL CORPORATION, a Hawai'i corporation,

Third-Party Defendants,

and

SPORTS SHINKO CO., LTD., a Japanese corporation; SPORTS SHINKO (HAWAII) CO., LTD., a Hawai'i corporation; and SPORTS SHINKO (PUKALANI) CO., LTD., a Hawai'i corporation,

Third-Party Defendants /
Counterclaimants,

vs.

PUKALANI GOLF CLUB, LLC, a Hawai'i limited liability company; KG MAUI DEVELOPMENT, LLC, a Hawai'i limited liability company; KG HOLDINGS, LLC, a Hawai'i limited liability company; and FRANKLIN K. MUKAI,

Third-Party Counterclaim
Defendants.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

vs.

KIAHUNA GOLF CLUB, LLC, a
Hawai'i limited liability company; KG
KAUAI DEVELOPMENT, LLC, a
Hawai'i limited liability company;
PUKALANI GOLF CLUB, LLC, a
Hawai'i limited liability company; KG
MAUI DEVELOPMENT, LLC, a
Hawai'i limited liability company;
MILILANI GOLF CLUB, LLC, a
Hawai'i limited liability company; QK
HOTEL, LLC, a Hawai'i limited
liability company, OR HOTEL, LLC, a
Hawai'i limited liability company; KG
HOLDINGS, LLC, a Hawai'i limited
liability company; and FRANKLIN K.
MUKAI,

Defendants,

and

FRANKLIN K. MUKAI

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Japanese corporation; SPORTS
SHINKO (HAWAII) CO., LTD., a

CV 04-00126 ACK-BMK

Hawai'i corporation; SPORTS SHINKO (MILILANI) CO., LTD, a Hawai'i corporation; SPORTS SHINKO (KAUAI) CO., LTD., a Hawai'i corporation; SPORTS SHINKO (PUKALANI) CO., LTD., a Hawai'i corporation, SPORTS SHINKO RESORT HOTEL CORPORATION, a Hawai'i corporation; SPORTS SHINKO (WAIKIKI) CORPORATION, a Hawai'i corporation; and OCEAN RESORT HOTEL CORPORATION, a Hawai'i corporation,

Third-Party Defendants,

and

SPORTS SHINKO (HAWAII) CO., LTD., a Hawai'i corporation and SPORTS SHINKO (KAUAI) CO., LTD., a Hawai'i corporation,

Third-Party Defendants /
Counterclaimants,

vs.

KIAHUNA GOLF CLUB, LLC, a Hawaii limited liability company; KG KAUAI DEVELOPMENT, LLC, a Hawai'i limited liability company; PUKALANI GOLF CLUB, LLC, a Hawai'i limited liability company; KG MAUI DEVELOPMENT, LLC, a Hawai'i limited liability company; QK HOTEL, LLC, a Hawai'i limited liability company; OR HOTEL, LLC, a Hawai'i limited liability company; KG

HOLDINGS, LLC, a Hawai'i limited liability company; and FRANKLIN K. MUKAI,

Third-Party Counterclaim
Defendants.

SPORTS SHINKO CO., LTD., a
Japanese corporation,

Plaintiff,

vs.

OR HOTEL, LLC, a Hawai'i limited liability company; KG HOLDINGS, LLC, a Hawai'i limited liability company; and FRANKLIN K. MUKAI,

Defendants,

and

FRANKLIN K. MUKAI

Third-Party Plaintiff,

vs.

SPORTS SHINKO (USA) CO., LTD., a Delaware corporation; SPORTS SHINKO (HAWAII) CO., LTD., a Hawai'i corporation; SPORTS SHINKO (MILILANI) CO., LTD., a Hawai'i corporation; SPORTS SHINKO (KAUAI) CO., LTD., a Hawai'i corporation; SPORTS SHINKO (PUKALANI) CO., LTD., a

CV 04-00127 ACK-BMK

Hawai'i corporation; SPORTS SHINKO RESORT HOTEL CORPORATION, a Hawai'i corporation; SPORTS SHINKO (WAIKIKI) CORPORATION, a Hawai'i corporation; and OCEAN RESORT HOTEL CORPORATION, a Hawai'i corporation,

Third-Party Defendants,

and

SPORTS SHINKO (HAWAII) CO., LTD., a Hawai'i corporation; SPORTS SHINKO RESORT HOTEL CORPORATION, a Hawai'i corporation; and SPORTS SHINKO (WAIKIKI) CORPORATION, a Hawai'i corporation,

Third-Party Defendants /
Counterclaimants,

vs.

OR HOTEL, LLC, a Hawai'i limited liability company; KG HOLDINGS, LLC, a Hawai'i limited liability company; and FRANKLIN K. MUKAI,

Third-Party Counterclaim
Defendants.

SPORTS SHINKO (USA) CO., LTD., a
Delaware corporation,

Plaintiff,

CV 04-00128 ACK-BMK

vs.

MILILANI GOLF CLUB, LLC, a
Hawai'i limited liability company; KG
HOLDINGS, LLC, a Hawai'i limited
liability company; and FRANKLIN K.
MUKAI,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Japanese corporation; SPORTS SHINKO
HAWAII) CO., LTD., a Hawai'i
corporation; SPORTS SHINKO
(MILILANI) CO., LTD., a Hawai'i
corporation; SPORTS SHINKO (KAUAI)
CO., LTD., a Hawai'i corporation;
SPORTS SHINKO (PUKALANI) CO.,
LTD., a Hawai'i corporation; SPORTS
SHINKO RESORT HOTEL
CORPORATION, a Hawai'i corporation;
SPORTS SHINKO (WAIKIKI)
CORPORATION, a Hawai'i corporation;
and OCEAN RESORT HOTEL
CORPORATION, a Hawai'i corporation,

Third-Party Defendants,

and

SPORTS SHINKO (HAWAII) CO.,
LTD., a Hawai'i corporation and

SPORTS SHINKO (MILILANI) CO.,
LTD., a Hawai'i corporation,

Third-Party Defendants /
Counterclaimants,

vs.

MILILANI GOLF CLUB, LLC, a
Hawai'i limited liability company; KG
HOLDINGS, LLC, a Hawai'i limited
liability company, and FRANKLIN K.
MUKAI,

Third-Party Counterclaim
Defendants.

CERTIFICATE OF SERVICE

**RE: CIVIL APPEALS DOCKETING STATEMENT; EXHIBITS "A" –
"D"; ORDER DENYING MOTION TO EXPUNGE LIS PENDENS;
AND REPRESENTATION STATEMENT**

I hereby certify that, on the date and by the method of service noted
below, a true and correct copy of the foregoing was served on the following at their
last known address:

Served by First Class Mail:

Date:

PAUL ALSTON, ESQ.
GLENN T. MELCHINGER, ESQ.
Alston Hunt Floyd & Ing
American Savings Bank Tower
1001 Bishop Street, 18th Floor
Honolulu, Hawaii 96813

October 27, 2006

Attorneys for Plaintiffs, Third-Party Defendants,
and the SS Companies
Sports Shinko Co., Ltd.,
Sports Shinko (USA) Co., Ltd.,
Sports Shinko (Hawaii) Co., Ltd.,
Sports Shinko (Mililani) Co., Ltd.,
Sports Shinko (Kauai) Co., Ltd.,
Sports Shinko (Pukalani) Co., Ltd.,
Sports Shinko Resort Hotel Corporation,
Sports Shinko (Waikiki), Corporation
Ocean Resort Hotel Corporation

Served by First Class Mail:

Date:

WILLIAM A. BORDNER, ESQ.
Burke McPheeters Bordner & Estes
Pacific Guardian Center, Mauka Tower
737 Bishop Street, Suite 3100
Honolulu, Hawaii 96813

October 27, 2006

Attorney for Franklin K. Mukai

DATED: Honolulu, Hawaii, October 27, 2006.

PRICE OKAMOTO HIMENO & LUM

By: 

Warren Price III

Robert A. Marks

- and -

GELBER, GELBER, INGERSOLL &
KLEVANSKY, A LAW CORPORATION
Simon Klevansky
Aliko L. Piper
Carisa Lima Ka'ala Hee

Attorneys for Defendants
KIAHUNA GOLF CLUB, LLC,
KG KAUAI DEVELOPMENT, LLC,
PUKALANI GOLF CLUB, LLC,
KG MAUI DEVELOPMENT, LLC,
MILILANI GOLF CLUB, LLC,
QK HOTEL, LLC, OR HOTEL, LLC,
AND KG HOLDINGS, LLC

**CERTIFICATE OF SERVICE [RE: CIVIL APPEALS DOCKETING STATEMENT; EXHIBITS "A" –
"D"; ORDER DENYING MOTION TO EXPUNGE LIS PENDENS; AND REPRESENTATION
STATEMENT]**

Sports Shinko Co., Ltd., v. QK Hotel, LLC, et al., Civil No. CV04-00124 ACK/BMK, etc. (Consolidated Cases), United States
District Court, District of Hawaii